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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, ) No. CR 13-00166 YGR  
Plaintiff, ) STIPULATION AND ORDER  
v. ) VACATING STATUS CONFERENCE  
BLANCA AVELES-FERMIN, ) SET FOR MAY 9, 2013 AND SETTING  
Defendant. ) CHANGE OF PLEA DATE FOR JUNE 6,  
 ) 2013 AND EXCLUDING TIME FROM  
 ) MAY 9, 2013 TO JUNE 6, 2013

## STIPULATION

IT IS HEREBY STIPULATED, by and between the parties to this action, that the status conference date in the above-referenced case, currently set for Thursday, May 9, 2013, at 2:00 p.m., may be vacated, and requesting a change of plea date set for Thursday, June 6, 2013 at 2:00. The reason for the request is that the parties expect the case to resolve with a guilty plea and were informed by the courtroom clerk that the May 9 calendar is full for changes of plea. This is the first continuance the parties have requested. The parties further agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 9, 2013 to June 6, 2013.

ORDER EXCLUDING TIME  
No. CR 13-00166 YGR

1 Failure to grant the requested continuance would unreasonably deny defendant's counsel time  
2 for effective preparation, given counsel's need to review an immigration hearing tape provided  
3 on April 30, 2013.

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7 DATED: 5/2/2013

8 /s/  
JOYCE LEAVITT  
Counsel for Blanca Aveles-Fermin

9 DATED: 5/2/2013

10 /s/  
KEVIN LIN  
11 Special Assistant United States Attorney

12 **ORDER**

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status conference date in  
14 the above-referenced case, currently set for Thursday, May 9, 2013, at 2:00 p.m., is vacated. The  
15 case is now set for change of plea on Thursday, June 6, 2013, at 2:00 p.m. In addition, the Court  
16 finds that the ends of justice served by excluding the period from May 9, 2013 to June 6, 2013,  
17 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §  
18 3161(h)(7)(A).

19 SO ORDERED.

20  
21 DATED: May 3, 2013

22   
HONORABLE YVONNE GONZALEZ ROGERS  
23 United States District Judge

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ORDER EXCLUDING TIME  
No. CR 13-00166 YGR